

## **REMARKS**

In the Official Action mailed on **November 19, 2004**, the Examiner reviewed claims 52-90. The amendment was deemed not-responsive and claims 52-90 were withdrawn from consideration.

### **Non-responsive Amendment**

The amendment of November 19, 2004 was deemed non-responsive.


Applicant has canceled claims 52-90 without prejudice and added new claims 91-141, which address the Examiner's objections. Claims 91-141 are directed to storing primary content and secondary content within a cache, wherein the ratio of primary content and secondary content is allowed to fluctuate depending upon the system load. New claims 91-141 find support on page 6, line 11 to page 13, line 4.

Hence, Applicant respectfully submits that independent claims 91, 112, 113, 126, 127, 136, 137, and 141 are in condition for allowance. Applicant also submits that claims 92-111, which depend upon claim 91, claims 114-125, which depend upon claim 113, claims 128-135, which depend upon claim 127, and claims 138-140, which depend upon claim 137, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

**CONCLUSION**

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

By   
Edward J. Grundler  
Registration No. 47,615

Date: November 30, 2004

Edward J. Grundler  
PARK, VAUGHAN & FLEMING LLP  
508 Second Street, Suite 201  
Davis, CA 95616-4692  
Tel: (530) 759-1663  
FAX: (530) 759-1665